

## **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. In the Office Action dated September 26, 2007, the Examiner made a Requirement for Information regarding various Information Disclosure Statements filed in the current application. Applicants hereby address the Examiner's concerns.

### **I. Interview Summary**

Applicants thank Examiner Siedler for the courtesy of a telephone interview on January 29, 2008, requested by the undersigned to discuss Applicants' response to the Examiner's requirement for information. During the interview, Applicants asserted that the large number of references accorded with Applicants' duty to disclose references cited during the prosecution of related, co-pending applications. The Examiner requested that Applicants identify the initial information disclosure statement filed June 13, 2005 as the most immediately relevant to the patentability of the claims. The Examiner further stated that identification of the supplemental IDSs as being in furtherance of Applicants' duty to disclose references cited during related applications would thereby satisfy the Examiner's information requirement.

### **II. Information Requirement**

In the Office Action, the Examiner included a Requirement for Information under 37 C.F.R. 1.105. The Examiner stated that the Information Disclosure Statements submitted on 12/12/2005, 4/26/2006, 5/22/2006, 7/3/2006, 8/21/2006, 8/28/2006, 10/2/2006, 10/26/2006, 11/20/2006, 12/21/2006, 2/12/2007, 2/16/2007, 3/12/2007,

4/30/2007, 6/22/2007, and 7/20/2007 list a large number of references and that additional information on those references is needed. In particular, the Examiner requested a concise explanation of the relevance of each document listed.

In accordance with the telephone interview conducted on January 29, 2008, Applicants respectfully submit that the Information Disclosure Statement filed on June 13, 2005 may contain those references that may be most immediately relevant to the patentability of the pending claims. Applicants further respectfully submit that the references contained within the aforementioned Information Disclosure Statements were brought to Applicants attention in the course of prosecuting co-pending patent applications. Applicants respectfully submit that the citations listed on the aforementioned IDSs are submitted consistent with MPEP §2001.06(b) and the holding of *McKesson Information Solutions, Inc. v. Bridge Medical, Inc.*, No. 06-1517 (Fed. Cir. May 18, 2007), which suggests disclosure of all rejections in co-pending U.S. Patent Applications and references cited in Foreign Search Reports for related applications.

Accordingly, Applicants respectfully provide the Examiner with the applications and Office Actions relevant to each of the above recited Information Disclosure Statements.

IDS	Related Application(s) and Office Action(s)
December 12, 2005	Application 09/818,157, Office Action dated June 18, 2004 Application 09/841,265, Office Action dated March 17, 2005 Application 09/841,266, Office Action dated August 20, 2004 Application 09/906,552, Office Action dated March 29, 2004 Application 09/906,552, Office Action dated October 20, 2005 Application 09/906,467, Office Action dated July 15, 2004 Application 09/906,552, Final OA dated May 5, 2005 Application 09/907,418, Office Action dated September 29, 2004 Application 09/907,418, Final OA dated May 6, 2005 Application 09/588,411, Office Action dated December 29, 2003 Application 09/588,411, Office Action dated December 8, 2004

	Application 10/141,712, Office Action dated March 24, 2005 Application 10/154,630, Office Action dated February 12, 2004 Application 10/154,630, Office Action dated January 26, 2005 Application 10/140,544, Office Action dated June 24, 2005 Application 10/179,810, Office Action dated October 5, 2005 Application 10/178,680, Office Action dated November 2, 2004 Application 10/179,438, Office Action dated July 25, 2005 Application 10/184,298, Office Action dated May 20, 2005 EPO Application 02014717, Search Report dated April 22, 2005
April 26, 2006	Application 09/841,265, Office Action dated November 15, 2005 Application 09/841,265, Third Party Submissions of Art Application 09/906,467, Office Action dated February 2, 2006 Application 09/906,467, Third Party Submissions of Art Application 10/155,680, Office Action dated December 15, 2005 Application 10/164,960, Office Action dated April 8, 2005 Application 10/164,260, Office Action dated June 6, 2005 Application 10/164,260, FOA dated November 10, 2005 Application 10/164,260, EP Search dated October 16, 2003 Application 10/731,899, Int'l Search dated October 18, 2001 Application 10/184,298, EP Search dated April 22, 2005 Application 10/366,141, Office Action dated September 2, 2005 Application 10/608,267, Office Action dated December 14, 2005 Application 10/184,190, Office Action dated November 2, 2005 Application 10/183,317, Office Action dated October 4, 2005 EPO Application 04002224.6, Search Report dated April 22, 2005
May 22, 2006	Application 10/377,258, Office Action dated April 5, 2006 Application 10/164,260, Office Action dated April 10, 2006
July 3, 2006	Application 09/841,265, EP Search Report dated May 10, 2006
August 21, 2006	Application 10/731,899, Office Action dated August 2, 2006
August 28, 2006	Application 09/906,552, Third Party Submissions of Art Application 10/164,960, Office Action dated August 9, 2006
October 2, 2006	Application 10/155,680, Office Action dated September 7, 2006
October 26, 2006	Application 09/841,266, Office Action dated October 5, 2006
November 20, 2006	EPO Application 03014181.6, Search Report dated October 11, 2006
December 21, 2006	EPO Application 03010292.5, Search Report November 22, 2006
February 12, 2007	Application 10/154,630, Office Action dated December 20, 2006 Application 10/608,267, Office Action dated December 14, 2005
February 16, 2007	EPO Application 03011851.7, Search Report dated September 8, 2005
March 12, 2007	Austrian Application 200500214-2, Search Report dated January 26, 2007 Application 09/588,411, Office Action dated February 6, 2007 Application 10/179,438, FOA dated February 7, 2007

April 30, 2007	EPO Application 04003683.2, Search Report dated March 9, 2007 Application 10/426,446, Office Action dated March 9, 2007
June 22, 2007	Application 09/906,467, Office Action March 30, 2007 Application 10/731,899, FOA dated June 15, 2007
July 20, 2007	Application 09/841,266, Office Action dated June 28, 2007 Application 10/154,630, Office Action dated July 13, 2007 Application 09/841,265, Office Action dated July 20, 2007

### III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,

/D. Kent Stier/

Date: February 26, 2008

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